

REMARKS

The foregoing amendment does not include the introduction of new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated September 15, 2003 has been received and considered by the Applicants. Claims 1-11 are pending in the present application for invention. Claims 1-11 stand rejected by the September 15, 2003 Office Action.

The Office Action rejects Claims 1, 3 and 5-6 under the provisions of 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,986,638 issued to Cheng (hereinafter referred to as Cheng) taken with U.S. Patent No. 5,940, 076 issued to Sommers et al. (hereinafter referred to as Sommers et al.). The Examiner states that Cheng teaches a flywheel controlled color computer having an image control system for controlling a display menu comprising a selector and a user input device for inputting an instruction, wherein the user input device includes a flywheel as a control device with a loop configuration that generates a control signal to move the selector about the loop.

The Examiner admits that Cheng does not teach that the loop is moveable with respect to the selector but states that Sommers et al. teaches a loop and selector device that are moveable relative to each other at col. 4, lines 36-46. The Applicant would like to, respectfully, point out that col. 4, lines 36-46 of Sommers et al. describes the user activating the control device by pressing either an up or down arrow to reach off screen applications that are brought into the display and rotated through the selectable fields. The rotational direction through the selectable fields of Sommers et al., is controlled by pressing either an up arrow or a down arrow (see col., 4 lines 41-44). There is no disclosure, or suggestion, within Sommers et al. for "movement around the loop configuration of the control device causes a corresponding relative movement between the selector and the loop of the menu" as recited by the rejected claims to the present invention. The Applicant would like to, respectfully, point out that rejected claim 1 to the

present invention recites “a plurality of simultaneously displayed menu items in a loop” and the “control device having a loop configuration” which are separate elements. The Office Action has rejected the recited element within rejected claim 1 of “wherein movement around the loop configuration of the control device causes a corresponding relative movement between the selector and the loop of the menu” using col. 4, lines 36-46 of Sommers et al. which describes using an up arrow or a down arrow. This is not equivalent to “movement around the loop configuration of the control device” recited by rejected claim 1. Accordingly, this rejection is respectfully traversed.

The Office Action rejects Claims 2 and 7-8 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Cheng taken with Sommers et al., as applied to Claim 1, and further in view of U.S. Patent No. 5,667,319 issued to Satloff (hereinafter referred to as Satloff). The Applicants, respectfully, submit that Satloff does not disclose, or suggest, a force-sensing resistor to receive a force from a user and generate the control signal as recited in rejected claim 2 which must be viewed in conjunction with the element within rejected claim 1 wherein movement around the loop configuration of the control device creates the similar movement around the display loop. Regarding, claim 7, a joystick alone does not suggest the rejected elements to claim 7. Regarding claim 8 there is no suggestion of a force-sensing resistor being used within a joystick to receive a force from a user and generate the control signal in dependence on this force. Accordingly, this rejection is respectfully traversed.

The Office Action rejects Claim 4 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Cheng taken with Sommers et al., as applied to Claim 1, and further in view of U.S. Patent No. 4,736,191 issued to Matzke, et al. (hereinafter referred to as Matzke). The Applicant would like to, respectfully, point out that there is no suggestion within the cited reference Matzke, to control a loop display as recited by rejected claim 4. Accordingly, this rejection is respectfully traversed.

The Office Action rejects Claim 9 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Cheng taken with Sommers et al., as applied to Claim 1, and further in view of U.S. Patent No. 6,501,516 issued to Clapper (hereinafter referred to as Clapper). The Applicant, respectfully, submits that the Examiner is picking and choosing among prior art references using the elements to the rejected claims of the present

invention as a blueprint. There is no suggestion to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

The Office Action rejects Claim 10 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Cheng taken with Sommers et al., as applied to Claim 1, and further in view of U.S. Patent No. 5,736,703 issued to Kim (hereinafter referred to as Kim).). The Applicant, respectfully, submits that the Examiner is picking and choosing among prior art references using the elements to the rejected claims of the present invention as a blueprint. There is no suggestion to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

The Office Action rejects Claim 11 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Cheng taken with Sommers et al., as applied to Claim 1, and further in view of U.S. Patent No. 6,405,061 issued to Bae (hereinafter referred to as Bae).). The Applicant, respectfully, submits that the Examiner is picking and choosing among prior art references using the elements to the rejected claims of the present invention as a blueprint. There is no suggestion to combine the set of references combined by this rejection. Accordingly, this rejection is respectfully traversed.

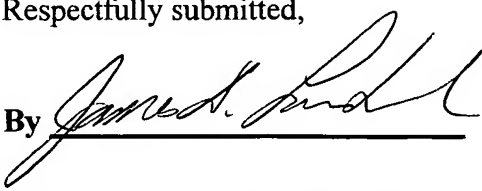
New claims 12-20 have been added by the foregoing amendment. These claims further define the invention by distinctly reciting “a continuous circular movement upon the annular control device causing a corresponding relative movement between the selector and the loop of the menu” in addition to the elements for the claims that have been previously discussed. Claim 20 recites that this continuous movement is in the form of several discrete movements. Claims 12-20 are believed to be allowable over the cited references.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By


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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Non-Fee Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: December 15, 2003

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